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5 IN THE UNITED STATES DISTRICT COURT
6
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 PEOPLE OF STATE OF CALIFORNIA, No. C-04-02588 CRB (EDL)
9 Plaintiff, **ORDER SETTING FURTHER
10 v. SETTLEMENT CONFERENCE**
11 UNITED STATES FOREST SERVICE, et al.,
12 Defendants. /

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14 During the settlement conference held on November 14, 2005, the parties agreed to proceed
15 in the following manner:

16 As proposed in the parties' Joint Status Report on Remedy Phase (pp. 3-4), the parties agree
17 that the issue of remedy will be remanded to the Forest Service to revise the Fire Plan in light of
18 Judge Breyer's Order dated July 11, 2005. By February 10, 2006, Defendants shall file an interim
19 status report on their compliance efforts, providing a copy to Judge Laporte. By April 10, 2006,
20 Defendants shall file a revised Fire Plan and a Final Report on Compliance, providing copies to
21 Judge Laporte. The Fire Plan shall contain specific references to the passages in NEPA-compliant
22 documents that Defendants believe authorizes each of the fire management directions contained in
23 the revised Fire Plan (*e.g.*, by page, paragraph, and line) and, if feasible, the applicable locations
24 within the Forest to which the directions apply. The Final Report on Compliance shall identify any
25 specific fire management directions that are not in the revised Fire Plan but that appeared in the
26 original Fire Plan. The Final Report on Compliance also shall state whether, when and how, with
27 respect to each of those directions no longer contained in the Fire Plan, Defendants intend to pursue
28 NEPA process(es) leading to the restoration of those directions or, instead, whether they intend that

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1 the revised Fire Plan proceed indefinitely without those directions.

2 On April 19, 2006, Plaintiffs shall provide a response to Defendants, and shall provide to the
3 Court an updated confidential settlement conference statement. On April 24, 2006, following the
4 hearing scheduled in the Sequoia Valley Monument case, the parties each shall provide to the Court
5 confidential updates regarding the impact, if any, of that hearing on settlement.

6 On April 26, 2006, the parties shall appear for a further settlement conference beginning at
7 9:00 a.m. in Courtroom E, 15th Floor, 450 Golden Gate Avenue, San Francisco, California 94102.
8 In addition to the representatives who appeared at the November 14, 2005 settlement conference,
9 Defendants shall bring a responsible high level official from Washington, DC headquarters.

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IT IS SO ORDERED.

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Dated: November 17, 2005

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Elizabeth D. Laporte
ELIZABETH D. LAPORTE
United States Magistrate Judge